

**United States Bankruptcy Court
For the Eastern District of Texas
Sherman Division**

IN RE:) Case No. 04-43746
)
JAMES M. HILLIARD, III)
)
Debtor(s)) Chapter 7

Trustee's Final Report, Application for Compensation,
and Report of Proposed Distribution

CHRISTOPHER J. MOSER, the Trustee of the estate of the above named debtor(s), certifies under penalty of perjury, to the Court and United States Trustee, that the trustee has faithfully and properly fulfilled the duties of his office, that the trustee has examined all proofs of claim as appropriate in preparation for the proposed distribution, and that the proposed distribution attached hereto is proper and consistent with the law and rules of the Court. The Trustee applies for the commissions and expenses set forth herein and states that they are reasonable and proper.

I hereby authorize the Office of the United States Trustee to file by electronic means this Trustee's Final Report, Application for Compensation and Report of Proposed Distribution on my behalf, and I agree and acknowledge that the designation of my signature on this document, once filed, constitutes my valid signature for the purposes of 11 U.S.C. §704(9) and Fed. R. Bankr. Pro. 9011.

Therefore, the Trustee requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

Date: February 14, 2006

/s/ Christopher J. Moser, Trustee
Christopher J. Moser, Trustee

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:	§	
	§	CASE NO. 04-43746
JAMES M. HILLIARD, III	§	(Chapter 7)
	§	
DEBTOR(S)	§	

TRUSTEE'S FINAL REPORT AND APPLICATION TO CLOSE
CASE AND DISCHARGE TRUSTEE

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth in Schedule A and states: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced monies from personal funds for expenses, and the Trustee has not been reimbursed.
2. The Trustee submits Form I. as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. Sec. 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. Sec. 554 (c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.
4. The Trustee submits Form II. as the account of estate cash receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this final report.
7. The Trustee has examined each and every claim filed and noted his approval of claims as filed, or he has filed objections to allowance or requests for reclassification.

SCHEDULE A-1

04-43746 JAMES M. HILLIARD, III

A. Receipts----- \$7,462.47

B. Disbursements

1. Secured Creditors----- \$0.00

2. Administrative----- \$3,000.00

3. Priority----- \$0.00

4. Other----- \$0.00

Total Disbursements----- \$3,000.00

C. Current Balance----- \$4,462.47

FORM 1 **INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT** **ASSET CASES**

Case No: 04-43746 BTR Judge: BRENDA T. RHOADES
Case Name: HILLIARD, JAMES M III

Trustee Name: CHRISTOPHER J. MOSER
Date Filed (f) or Converted (c): 08/13/04 (f)
341(a) Meeting Date: 09/27/04
Claims Bar Date: 03/29/05

For Period Ending: 02/14/06

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. Preference - Carl D. Hughes, Jr. Scheduled on SOFA # 4. b. Garnishment on Bank of America checking acct. # 001297130719	8,260.42	7,440.41		7,440.41	FA
2. 5824 TURNER ST, THE COLONY OF TX, 75056 Debtor Claimed 100% Exemption on Schedule C	109,000.00	0.00		0.00	FA
3. FINANCIAL ACCOUNTS Bank account garnished	8,260.42	0.00		0.00	FA
4. HOUSEHOLD GOODS Debtor Claimed 100% Exemption on Schedule C	4,000.00	0.00		0.00	FA
5. WEARING APPAREL Debtor Claimed 100% Exemption on Schedule C	2,500.00	0.00		0.00	FA
6. FURS AND JEWELRY Debtor Claimed 100% Exemption on Schedule C	200.00	0.00		0.00	FA
7. FIREARMS AND HOBBY EQUIPMENT Debtor Claimed 100% Exemption on Schedule C	300.00	0.00		0.00	FA
8. RETIREMENT PLANS Debtor Claimed 100% Exemption on Schedule C	50,000.00	0.00		0.00	FA
9. 2002 TOYOTA AVALON Debtor Claimed 100% Exemption on Schedule C	10,000.00	0.00		0.00	FA
INT. Post-Petition Interest Deposits (u)	Unknown	N/A		22.06	Unknown

TOTALS (Excluding Unknown Values)	\$ 192,520.84	\$ 7,440.41	\$ 7,462.47	Gross Value of Remaining Assets
				\$0.00
				(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Case No: 04-43746 BTR Judge: BRENDA T. RHOADES
Case Name: HILLIARD, JAMES M III

Trustee Name: CHRISTOPHER J. MOSER
Date Filed (f) or Converted (c): 08/13/04 (f)
341(a) Meeting Date: 09/27/04
Claims Bar Date: 03/29/05

Quilling, Selander, Cummiskey & Lownds, P.C. is employed to represent the trustee. The Trustee is a partner in the same firm. On Oct. 26, 2004,
Adversary # 04-04263 was filed with respect to item # 1. On March 30, 2005, Order Approving Settlement Agreement was granted, with respect to item #
1. A tax return will not be necessary. No objections to claims are necessary.

Initial Projected Date of Final Report (TFR): 12/31/05 Current Projected Date of Final Report (TFR): 02/14/06

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Page: 1

Case No: 04-43746 -BTR	Trustee Name: CHRISTOPHER J. MOSER	Blanket Bond (per case limit): \$ 300,000.00
Case Name: HILLIARD, JAMES M III	Bank Name: BANK OF AMERICA, N.A.	Separate Bond (if applicable):
Taxpayer ID No: *****9582	Account Number / CD #: *****6841 BofA - Money Market Account	
For Period Ending: 02/14/06		

1 Transaction Date	2 Check or Reference	3 Paid To / Received From	4 Description Of Transaction	Uniform Tran. Code	5 Deposits (\$)	6 Disbursements (\$)	7 Account / CD Balance (\$)
05/02/05	1	JAMES M HILLIARD CASHIER'S CHECK #1561756	SETTLEMENT	1141-000	7,440.41		7,440.41
05/31/05	INT	BANK OF AMERICA	Interest Rate 0.250	1270-000	1.48		7,441.89
06/30/05	INT	BANK OF AMERICA, N.A.	Interest Rate 0.250	1270-000	1.53		7,443.42
07/29/05	INT	BANK OF AMERICA, N.A.	Interest Rate 0.250	1270-000	1.58		7,445.00
08/31/05	INT	BANK OF AMERICA, N.A.	Interest Rate 0.600	1270-000	3.80		7,448.80
09/30/05	INT	BANK OF AMERICA, N.A.	Interest Rate 0.600	1270-000	3.67		7,452.47
10/31/05	INT	BANK OF AMERICA, N.A.	Interest Rate 0.600	1270-000	3.80		7,456.27
11/28/05	000301	QSC&L 2001 Bryan Street, Suite 1800 Dallas, Texas 75201	Per Order Entered on 11/22/05 Attorney's Fees	3110-000		3,000.00	4,456.27
11/30/05	INT	BANK OF AMERICA, N.A.	Interest Rate 0.600	1270-000	3.63		4,459.90
12/30/05	INT	BANK OF AMERICA, N.A.	Interest Rate 0.600	1270-000	2.27		4,462.17
01/05/06	INT	BANK OF AMERICA, N.A.	INTEREST REC'D FROM BANK	1270-000	0.30		4,462.47
01/05/06		Transfer to Acct #*****0928	Final Posting Transfer	9999-000		4,462.47	0.00

COLUMN TOTALS	7,462.47	7,462.47	0.00
Less: Bank Transfers/CD's	0.00	4,462.47	
Subtotal	7,462.47	3,000.00	
Less: Payments to Debtors		0.00	
Net	7,462.47	3,000.00	

Page Subtotals 7,462.47 7,462.47

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 04-43746 -BTR
Case Name: HILLIARD, JAMES M III

Trustee Name: CHRISTOPHER J. MOSER
Bank Name: BANK OF AMERICA, N.A.
Account Number / CD #: *****0928 BofA - Checking Account

Taxpayer ID No: *****9582
For Period Ending: 02/14/06

Blanket Bond (per case limit): \$ 300,000.00
Separate Bond (if applicable):

1	2	3	4	5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)
01/05/06		Transfer from Acct #*****6841	Transfer In From MMA Account	9999-000	4,462.47	4,462.47

COLUMN TOTALS	4,462.47	0.00	4,462.47
Less: Bank Transfers/CD's	4,462.47	0.00	
Subtotal	0.00	0.00	
Less: Payments to Debtors	0.00	0.00	
Net	0.00	0.00	

TOTAL - ALL ACCOUNTS	NET DEPOSITS	DISBURSEMENTS	NET	ACCOUNT BALANCE
BofA - Money Market Account - *****6841	7,462.47	3,000.00		0.00
BofA - Checking Account - *****0928	0.00	0.00		4,462.47
	7,462.47	3,000.00		4,462.47
(Excludes Account Transfers)		(Excludes Payments To Debtors)		Total Funds On Hand

SCHEDULE B

04-43746 JAMES M. HILLIARD, III

TRUSTEE COMPENSATION:

Total Receipts =	\$7,462.47
Amount Returned to Debtor =	\$0.00
Total Receipts less Amount Returned to Debtor =	\$7,462.47
25% of first \$5,000.00 =	\$1,250.00
10% over \$5,000.00 & under \$50,000.00 =	\$246.25
5% over \$50,000.00 & under \$1,000,000.00 =	\$0.00
3% over \$1,000,000.00 =	\$0.00
Total Trustee Fees =	\$1,496.25

UNREIMBURSED EXPENSES: (SEE EXHIBIT "A")

Paralegal Time	0.00
Copies	0.00
Postage	0.00
Secretarial	0.00
Certified Order	0.00
Certified Mail	0.00
Travel	0.00
Federal Express	0.00
Recording Fees	0.00
Premium on Bond	0.00
TOTAL UNREIMBURSED EXPENSES =	0.00

RECORDS:

Trustee did not take possession of business or personal records of debtor.

X

Trustee did take possession of business or personal records of debtor.

Notice given to debtor on _____ to pick up business or personal records in hands of Trustee. If not picked up within 30 days such records or work files may be destroyed.

Exhibit "A"
Expenses

<u>Paralegal Time:</u>	<u>Time</u>	<u>Expense at \$30 / hr</u>	<u>Expense at \$60 / hr</u>	<u>Total Expense</u>
Setup New Bank Accts	0	0.00		0.00
Preparation of Deposits	0.0	0.00		0.00
Request Bar Date	0.0	0.00		0.00
Reconcile Bank Balance	0.0	0.00		0.00
Trustee's Final Report	0.0		0.00	0.00
Distribution Checks	0.0		0.00	0.00
Trustee's Final Account	0.0		0.00	0.00
Total Paralegal Time		0.00	0.00	0.00

<u>Copies, Postage, Secretarial & Supplies:</u>	<u>No. of Copies</u>	<u>Cost of Postage</u>	<u>Secretarial Hours</u>	<u>Certified Order</u>	<u>Certified Mail</u>	<u>Supplies</u>
Certified Mail of Tax Return						
Data Entry for Form 1						
Distribution Checks (quantity = 3)						\$0.00
Banking Folders & Supplies						
Column Totals	0	0.00	0.00	0.00	0.00	0.00

Paralegal Time	0.00
Copies = \$0.25 each	0.00
Postage	0.00
Secretarial @ \$15.00 per hr	0.00
Certified Order	0.00
Certified Mail	0.00
Supplies	0.00
Federal Express	0.00
Recording Fees	0.00
Premium on Bond	0.00
Grand Total =	\$0.00

**SCHEDULE C
EXPENSES OF ADMINISTRATION**

04-43746 JAMES M. HILLIARD, III

	<u>AMOUNT CLAIMED</u>	<u>AMOUNT PAID</u>	<u>AMOUNT DUE</u>
1 11 U.S.C. Sec 507(a)(1) <u>Court Cost & Fees</u> A. Notice & Claim Fees B. Adv. Filing Fees C. Quarterly Chapt 11			
2 11 U.S.C. Sec 503(b)(1)(a) <u>Preservation of Estate</u> A. Transportation B. Storage C. Wages D. Estates share FICA E. Watchman F. Insurance G. Upkeep H. Advertising I. Expenses in Sale of Real Estate J. Trustee's Bond			
3 11 U.S.C. Sec 503(b)(2) <u>Post-Petition Taxes and Related Penalties</u>			
4 11 U.S.C. Sec 503(b)(2) <u>Compensation and Reimbursement</u> A. Trustee Fees B. Trustee Expenses C. Attorney to Trustee D. Expenses for Attny to Trustee E. Attorney to Debtor F. Expenses for Attny to Debtor G. Auctioneers Fees H. Auctioneers Expenses I. Appraiser J. Accountant Fees K. Accountant Expense	1,496.25 0.00 3,000.00 0.00 0.00 0.00 0.00 0.00	0.00 0.00 3,000.00 0.00 0.00 0.00 0.00 0.00	1,496.25 0.00 0.00 0.00 0.00 0.00 0.00 0.00
5 11 U.S.C. Sec 503(b)(3) <u>Expenses of Creditors or Committees</u>			
6 11 U.S.C. Sec 503(b)(4) <u>Compensation of Professionals for Creditors or Committees</u>			
7 Other			
TOTAL	\$4,496.25	\$3,000.00	\$1,496.25

SCHEDULE D**04-43746 JAMES M. HILLIARD, III****PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES
IN THE FOLLOWING ORDER OF PRIORITY**

	(1) Claim <u>No.</u>	(2) Amount <u>Claimed</u>	(3) Amount <u>Allowed</u>	(4) Amount <u>Paid</u>	(5) Amount <u>Due</u>
1	For Credit Extended Sec 364(e)(1)				
2	Claims from Failure of adequate protection Sec. 307(a)(b)				
3	"Gap Claims" Sec. 507(a)(2)				
4	Wages, etc. Sec. 507(a)(3)				
5	Contributions to benefit plans Sec. 507(a)(4)				
6	Engaged in raising of grain or fisherman Sec. 507(a)(5)				
7	Consumer Deposits Sec. 507(a)(6)				
8	Alimony or Support or Child; Sec. 507(a)(7)				
9	Taxes Sec. 507(a)(8)				

TOTAL ALLOWED PRIORITY CLAIMS: \$0.00

SCHEDULE E 04-43746 JAMES M. HILLIARD, III

SECURED CLAIMS

Claim No.	Creditor	(1) Amount of Claim	(2) Amount not Determined	(3) Amount Allowed	(4) Amount Paid	(5) Amount Due
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Total of ALLOWED Secured Claims: \$0.00

Total UNSECURED CLAIMS Allowed:	\$121,069.24
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Eastern District of Texas Claims Register

04-43746 James M. Hilliard, III
Honorable Brenda T. Rhoades
Debtor Name: HILLIARD, III, JAMES M.

Claim No: 1	Creditor Name: CHASE BANKCARD SERVICES, INC. P. O. BOX 52188 PHOENIX, AZ 85072-2188	Last Date to File Claims: 03/29/2005 Last Date to File (Govt): 06/27/2005 Filing Status: Docket Status: Late: N
Claim Date: 01/06/2005	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:
Class	Amount Claimed	Amount Allowed
Unsecured	\$11326.46	
Total	\$11326.46	
Description: Unsecured Credit Card		
Remarks:		

Claim No: 2	Creditor Name: CARL D. HUGHES, JR. ATTORNEY AT LAW 2214 MAIN STREET DALLAS, TX 75201-4359	Last Date to File Claims: 03/29/2005 Last Date to File (Govt): 06/27/2005 Filing Status: Docket Status: Late: N
Claim Date: 02/23/2005	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:
Class	Amount Claimed	Amount Allowed
Unsecured	\$108106.92	
Total	\$108106.92	
Description:		
Remarks:		

Claim No: 3	Creditor Name: American Express Travel Related Services Co., Inc. c/o Becket and Lee, LLP Attorneys/Agent for Creditor P.O. Box 3001 Malvern, PA 19355-0701	Last Date to File Claims: 03/29/2005 Last Date to File (Govt): 06/27/2005 Filing Status: Docket Status: Late: N
Claim Date: 03/11/2005	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:

Class	Amount Claimed	Amount Allowed
Unsecured	\$1635.86	
Total	\$1635.86	
<i>Description:</i>		
<i>Remarks:</i>		

Claims Register Summary

Case Name: James M. Hilliard, III

Case Number: 2004-43746

Chapter: 7

Date Filed: 08/13/2004

Total Number Of Claims: 3

	Total Amount Claimed	Total Amount Allowed
Unsecured	\$121069.24	
Secured		
Priority		
Unknown		
Administrative		
Total	\$121069.24	

PACER Service Center			
Transaction Receipt			
02/14/2006 11:30:29			
PACER Login:	cm1174	Client Code:	
Description:	Claims Register	Search Criteria:	04-43746 Filed or Entered From: 2/13/2004 Filed or Entered To: 2/14/2006
Billable Pages:	1	Cost:	0.08

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:	§	
	§	CASE NO. 04-43746
JAMES M. HILLIARD, III	§	(Chapter 7)
	§	
DEBTOR(S)	§	

TRUSTEE'S REPORT OF
PROPOSED FINAL DISTRIBUTIONS

The undersigned trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

1. The Court has entered orders which have become final, and which dispose of all objections to claims, all applications for compensation, and all other matters which must be determined by the Court before final distribution can be made.

2. The trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution upon certification by the U.S. Trustee unless written objection thereto is filed and served on the trustee and on the U.S. Trustee.

04-43746 JAMES M. HILLIARD, III

1	Balance on hand		\$4,462.47
2	Administrative Expenses to be paid (see attached schedule of payees and amounts)	\$1,496.25	
3	Priority Claims to be paid (see attached schedule of payees and amounts)	\$0.00	
4	Secured Claims to be paid (see attached schedule of payees and amounts)	\$0.00	
5	Unsecured Claims to be paid (see attached schedule of payees and amounts)	\$2,966.22	
6	Miscellaneous distributions to be paid (see attached schedule of payees and amounts) Surplus to Debtor		
7	Total Distributions to be made.	\$4,462.47	
8	Zero Balance		\$0.00

/s/ Christopher J. Moser
Christopher J. Moser
2001 Bryan Street, Suite 1800
Dallas, Texas 75201

PROPOSED DISTRIBUTION

Case Number: 04-43746 BTR
Debtor Name: HILLIARD, JAMES M III

Page 1

Date: February 14, 2006

Claim #	Payee Name	Class	Priority	Amt Claimed * Amt Allowed	Paid to Date	Claim Balance	Proposed Pymt	Funds Remaining
Beginning Balance								\$4,462.47
Claim Type -								
	CHRISTOPHER J. MOSER COMPENSATION	Admin		\$1,496.25 * \$1,496.25	\$0.00	\$1,496.25	\$1,496.25	\$2,966.22
	Percent Paid: 100.0000 %							
	CHRISTOPHER J. MOSER EXPENSES	Admin		\$0.00 * \$0.00	\$0.00	\$0.00	\$0.00	\$2,966.22
Subtotal For Claim Type				\$1,496.25 * \$1,496.25	\$0.00	\$1,496.25	\$1,496.25	
Subtotals For Class Administrative				100.0000 %	\$1,496.25 * \$1,496.25	\$0.00	\$1,496.25	\$1,496.25
Claim Type 7100-00 - General Unsecured 726(a)(2)								
000001	CHASE MANHATTAN BANK USA, N.A.	Unsec	070	\$11,326.46 * \$11,326.46	\$0.00	\$11,326.46	\$277.50	\$2,688.72
	Percent Paid: 2.4500 %							
000002	CARL D. HUGHES, JR.	Unsec	070	\$108,106.92 * \$108,106.92	\$0.00	\$108,106.92	\$2,648.64	\$40.08
	Percent Paid: 2.4500 %							
000003	American Express Travel Related Services	Unsec	070	\$1,635.86 * \$1,635.86	\$0.00	\$1,635.86	\$40.08	\$0.00
	Percent Paid: 2.4501 %							
Subtotal For Claim Type 7100-00				\$121,069.24 * \$121,069.24	\$0.00	\$121,069.24	\$2,966.22	
Subtotals For Class Unsecured				2.4500 %	\$121,069.24 * \$121,069.24	\$0.00	\$121,069.24	\$2,966.22
<< Totals >>				\$122,565.49 \$122,565.49	\$0.00	\$122,565.49	\$4,462.47	\$0.00

Proposed distribution is dependent on the Court's rulings on administrative expenses, contest of claims, and/or objections made to this proposed distribution.

Trustee - CJM Trustee 7 Cases

Page: 1
09/30/2005
Client No: 3001-0325M
Invoice No: 33051

Re: James M. Hilliard, III

ITEMIZED SERVICES BILL

Category
Hours

09/20/2004 HMJ	Prepare attorney employment application (.2); Prepare accompanying affidavit (.2); Prepare order (.2);	PC-7	0.60	105.00
09/23/2004 HMJ	Work on potential preference including review of settlement agreement from P. Huttenbach, Bank of America attorney (.1); Telephone call with Bank of America attorney, P. Huttenbach, regarding attorney's fees for garnished wages (.4); Review of schedules including calculating potential defendant's claim to other claims in the estate and estimation of effect of successful efforts in pursuit of preference (.2); Research of status of BOA's fees as administrative expense (.3);	PC-10	1.00	175.00
09/24/2004 HMJ	Telephone call to C. Hughes regarding garnishment lien (.1); Telephone call with Debtor's attorney regarding contact information of C. Hughes, garnishment lien on bank account, judgment lien filed by C. Hughes on real property (.3);	PC-10	0.40	70.00
HMJ	Review fax from Debtor's attorney regarding C. Hughes 3rd lien on homestead (.1); Draft lengthy letter to C. Hughes, potential preference defendant, regarding garnishment on bank account and lien on debtor's house and proposal for settlement (.7); Telephone call to debtor's attorney confirming date of garnishment on bank account and discuss homestead lien issues (.3);	PC-10	1.10	192.50
HMJ	Telephone conference with C. Hughes regarding settlement of preferences (.7);	PC-10	0.70	122.50
09/30/2004 HMJ	Telephone conference with C. Hughes regarding settlement proposal (.2); Telephone conference with P. Huttenbach regarding satisfaction of BOA attorney fees and interpleading of garnished funds (.2);	PC-10	0.40	70.00
10/01/2004 HMJ	Telephone call to C. Hughes regarding possible settlement (.1);	PC-10	0.10	17.50



Re: James M. Hilliard, III

		Hours	
10/07/2004	HMJ	Work on preference action regarding garnished bank account; Review garnishment papers (.1); Locate and fix service address of defendant (.1); Telephone call to Bank of America paralegal regarding agreement to interplead funds (.1);	PC-10 0.30 52.50
10/12/2004	HMJ	Follow up with Bank of America paralegal regarding interpleading of funds (.2);	PC-10 0.20 35.00
10/14/2004	HMJ	Worked on preference action; Continued draft of adversary complaint(.5); Reviewed provisions regarding violations of the automatic stay(.1); Researched and reviewed caselaw regarding pending garnishment actions as stay violations(.7); Reviewed state court garnishment rules of procedure(.3); Drafted settlement letter to C.Hughes(.8);	PC-10 2.40 420.00
10/15/2004	HMJ	Work on avoidance action; Revise and complete complaint and settlement letter(.8); Prepare documents for transmittal to C.Hughes and D.Payne(.5);	PC-10 1.30 227.50
10/26/2004	CP	Electronically filed Adversary Complaint, Cover Sheet, and Summons against Carl Defendant. Hughes, Jr.	PC-10 0.20 12.00
	HMJ	Work on avoidance action; Review and revise Complaint(.2); Prepare cover sheet (.2);	PC-10 0.40 70.00
10/27/2004	CP	Electronically filed Summons Service Executed on Carl D. Hughes, Jr.	PC-10 0.10 6.00
11/29/2004	HMJ	Work on avoidance action; Review adversary complaint and answer deadline (.2); Review letters to date to C. Hughes (.2); Draft application for default judgment and accompanying brief in support (1.3); Print and review defendant's answer, compare same to complaint allegations (.3).	PC-10 2.00 350.00
12/10/2004	HMJ	Review answer and scheduling order (.1); Phone call to C. Hughes regarding discovery plan and prospects of settlement (.2); Review caselaw on garnishments and stay violations (.2); Draft settlement email to C. Hughes (.2).	PC-10 0.70 122.50
12/13/2004	HMJ	Phone call to debtor's attorney regarding adversary (.2); Prepare proposed discovery plan (1.1); Work on draft of motion for summary judgment (1.9).	PC-10 3.20 560.00

Re: James M. Hilliard, III

			Hours	
12/14/2004	HMJ	Work on draft of motion for summary judgment.	PC-10 1.00	175.00
12/22/2004	HMJ	Work on draft of motion for summary judgment.	PC-10 2.00	350.00
01/07/2005	HMJ	Work on Motion for Summary Judgment; Begin draft of affidavit of James Hilliard.	PC-10 0.30	52.50
01/25/2005	HMJ	Review draft of proposed scheduling order and adversary deadlines (.2); Lengthy follow up with adversary defendant regarding discovery plan, trial date, motions for summary judgment and prospects of settlement (.4); Review caselaw on continuation of garnishment action as violation of automatic stay (.3).	PC-10 0.90	157.50
02/04/2005	HMJ	Lengthy phone call with adversary Defendant regarding disconnected phone line, prospects of settlement, and execution (.3); Review Defendant's initial disclosures (.2); Prepare motion to approve settlement (.9); Prepare agreed order (.4); Phone call to attorney for Bank of America regarding settlement (.2).	PC-10 2.00	350.00
02/07/2005	HMJ	Work on adversary complaint; Review and revise motion to approve settlement and order on same (.3); Follow up with C. Hughes regarding motion to approve settlement (.2); Prepare Plaintiff's Initial Disclosures (.8); Prepare Notice of Initial Disclosure (.2); Several follow up phone calls with C. Hughes regarding status of settlement and management conference (.3); Several emails to courtroom deputy regarding continuance and settlement (.3); Prepare Motion for Continuance (.7); Prepare order granting same (.4); Several phone conferences with P. Huttenback, Bank of America's counsel, regarding settlement (.3); Several phone calls with D. Payne, debtor's counsel, regarding settlement (.3).	PC-10 3.80	665.00
	NC	Drafted Plaintiff's Initial Disclosures.	PC-10 0.50	30.00
02/08/2005	CJM	Attended management conference on adversary proceeding against Carl Hughes.	PC-10 0.40	100.00
	NC	Filed Joint Motion to Continue (.1); Uploaded proposed Order (.1).	PC-10 0.20	12.00
	HMJ	Revise motion to continue and accompanying order (.3); Follow up with D. Payne regarding settlement agreement (.2); Follow up with P. Huttenback regarding Bank of		

Re: James M. Hilliard, III

		Hours	
	America account and settlement agreement (.2); Several phone calls with C. Hughes regarding Mgmt Conf., settlement, proof of claim, and motion to continue Mgmt Conf. (.4).	PC-10 1.10	192.50
02/18/2005 HMJ	Review bankruptcy claims register (.1); Phone call to C. Hughes regarding Proof of Claim and settlement agreement (.1).	PC-5 0.20	35.00
02/22/2005 HMJ	Print and review faxed proof of claim, supporting documentation, and settlement agreement from C. Hughes (.3); Phone call to C. Hughes regarding missing fax pages (.1); Phone call with C. Hughes regarding need to file proof of claim before filing of settlement agreement (.1); Phone call with D. Payne regarding settlement agreement and need for Mr. Hilliard's affidavit for Motion for Summary Judgment (.3).	PC-5 0.80	140.00
02/23/2005 HMJ	Several phone calls to C. Hughes regarding Proof of Claim and settlement agreement.	PC-5 0.30	52.50
02/24/2005 HMJ	Print and review agreed orders from C.Hughes, D.Payne and P.Huttenbach(.3); Revise agreed order(.2); Prepare affidavit of trustee in support of settlement(.8); Follow up with trustee regarding settlement(.3); Access and review claims register(.1); Print and review Proof of Claim No. 2 of C.Hughes and supporting documentation(.2); Phone call to C.Hughes regarding settlement(.1).	PC-5 2.00	350.00
02/25/2005 NC	Filed Motion to Approve Settlement Agreement (.1); Filed Affidavit (.1); Uploaded proposed Order (.1).	PC-10 0.30	18.00
	Email to courtroom deputy regarding settlement agreement and removal of management conference from docket (.2); Email to C. Hughes regarding filing of motion to approve settlement agreement and removal of management conference from docket (.2); Review and reply to email from courtroom deputy regarding settlement agreement and removal of management conference from docket (.2).	PC-10 0.60	105.00
02/28/2005 HMJ	Review email and phone message from C. Hughes (.1); Review date of continued Management Conference (.2); Email to C. Hughes regarding same(.2).	PC-10 0.50	87.50
03/22/2005 HMJ	Review messages from C. Hughes regarding settlement and management conference (.1); Access and review Pacer for status of settlement and management conference (.2);		

Re: James M. Hilliard, III

		Hours	
	Phone call to C. Hughes regarding settlement and management conference (.1).	PC-10 0.40	70.00
03/30/2005			
HMJ	Review court order approving settlement agreement (.2); Phone call to C. Hughes regarding settlement agreement (.1); Lengthy phone call to D. Payne regarding status of settlement agreement, adversary proceeding, and plan for transfer of funds (.7).	PC-10 1.00	175.00
04/18/2005			
HMJ	Print and review several faxes from C. Hughes regarding nonsuit in garnishment action (.3); Follow up with D. Payne regarding status of settlement (.3).	PC-10 0.60	105.00
04/21/2005			
HMJ	Review mailed documents from C. Hughes regarding dismissal of garnishment action (.2); Review email from courtroom deputy regarding scheduling conference, review status of settlement and follow up with S. Rascoe regarding same (.3).	PC-10 0.50	87.50
04/27/2005			
HMJ	Print and review fax documents from Bank of America regarding garnishment action and settlement (.3); Follow up with debtor's attorney regarding same (.3); Revise settlement agreement and follow up with trustee regarding status of settlement (.3).	PC-10 0.90	157.50
04/29/2005			
HMJ	Review payment from Bank of America and other mailed documentation regarding release of funds (.3); Follow up with trustee regarding payment of claims and final settlement of adversary against C. Hughes (.1); Prepare motion to dismiss adversary proceeding, with prejudice (.9); Prepare order granting same (.5).	PC-5 1.80	315.00
05/02/2005			
NC	Filed Motion to Dismiss.	PC-10 0.10	6.00
09/20/2005			
KH	Review claims - no objections needed	PC-5 0.20	11.00
09/21/2005			
TAY	Work on objection to claims; Review file and status of case (.5)	PC-5 0.50	87.50
10/07/2005			
CJM	Prepared final fee application (1.6); Prepared order (.2).	PC-7 1.80	540.00
	For Current Services Rendered	39.80	7,035.00

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Client No: 3001-0325M
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Re: James M. Hilliard, III

	Recapitulation		
Timekeeper	Hours	Hourly Rate	Total
Christopher J. Moser	2.20	\$290.91	\$640.00
Kim Hill	0.20	55.00	11.00
Christine Price	0.30	60.00	18.00
Hudson Jobe	35.50	175.00	6,212.50
Timothy A. York	0.50	175.00	87.50
Nita Chancellor	1.10	60.00	66.00
Telecopies			18.00
Long-Distance Telephone			2.80
Filing Fee for USBC.			150.00
Photocopies			32.80
Postage			44.52
Online outside service expense for legal research Invoice # 1000173535			22.97
Total Expenses			271.09
Total Current Work			7,306.09
Balance Due			<u>\$7,306.09</u>

NOTE: PLEASE REFERENCE THE CLIENT MATTER NO. WITH PAYMENT